



January 6, 2016

Via EMAIL

MICHAEL MOSER
2661 CLEARVIEW ROAD, SUITE 8
ALLISON PARK, PA 15101
MEMOSER@COMCAST.NET

Re: Your subpoena to Facebook, Inc. our ref. **RT#690452**

Counsel,

Facebook received a subpoena from you issued on behalf of a private, non-governmental party on January 5, 2016 (Case# 2:14-cr-98-GD) seeking information associated with a purported Facebook account. Facebook objects to your subpoena for the reasons below. Please review the information, as well as information available in Facebook's Help Center, located at <http://www.facebook.com/help>. Facebook reserves all objections and rights.

Requests for User Content and Information

Facebook addresses all requests related to Facebook accounts in accordance with the federal Stored Communications Act, 18 U.S.C. §§ 2701, et seq. ("SCA"). Please note that service providers are not the proper recipients of requests for the contents of users' electronic communications.

1. Requests for the Content of a User Account Must be Directed to the User

If you are seeking the content of a Facebook user's electronic communications, such as messages, timeline posts, comments, photos, or videos, you must direct your request to the Facebook user or other non-provider entities. Active Facebook users can log into their accounts at any time to preserve, collect, produce, and authenticate their account contents. In addition, one or more of Facebook's various tools such as "Download Your Information" or "Activity Log" may be available to help users access their information. Descriptions of these tools and the types of information available can be found at <http://www.facebook.com/help/405183566203254>.

Facebook does not produce user content in response to consent forms. Users can directly respond to party or non-party discovery requests without Facebook's involvement. Information about deactivated and deleted accounts, and deleted information, is available in Facebook's Help Center and in its Data Use Policy.



2. Requests for Account Details and Non-Content Information

If you are seeking non-content basic subscriber information associated with a Facebook account, your subpoena is not otherwise objectionable, and your subpoena uniquely identifies an account by URL or email address, Facebook may produce reasonably available basic subscriber information, if any, after providing 21-days notice to the user of an affected account. If you wish to proceed with this limited scope of discovery, please contact us.

Additional Considerations and Objections

Facebook does not waive personal service of private party, non-governmental legal process. Facebook and its records custodians are located in Menlo Park, California, which is where Facebook resides.

Facebook objects to all requests that seek protected or privileged information, including information protected by the attorney-client or other applicable privilege, or Facebook's confidential, proprietary, or trade secret information.

Facebook is not in a position to authenticate or verify account content. Such requests should be directed to the creator or recipient of the content. Facebook also is not in a position to provide witnesses for trial or deposition. The appearance of a records custodian is unnecessary because any non-content records produced are self-authenticating.

Finally, Facebook does not preserve information in response to third party subpoenas or private party or non-governmental requests. Such requests should be directed to the user.

Please correct all deficiencies in your subpoena before re-serving.

Sincerely,

A handwritten signature in black ink, appearing to be "JH", is written over a light gray circular background.

Facebook Security
cc: Facebook Legal

cc: R. J. Getner & Associates
ron.rjgassoc@verizon.net



January 6, 2016

Via EMAIL

MICHAEL MOSER
2661 CLEARVIEW ROAD, SUITE 8
ALLISON PARK, PA 15101
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Re: Your subpoena to Facebook, Inc. our ref. **RT#690489**

Counsel,

Facebook received a subpoena from you issued on behalf of a private, non-governmental party on January 5, 2016 (Case# 2:14-cr-98-GD) seeking information associated with a purported Facebook account. Facebook objects to your subpoena for the reasons below. Please review the information, as well as information available in Facebook's Help Center, located at <http://www.facebook.com/help>. Facebook reserves all objections and rights.

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1. Requests for the Content of a User Account Must be Directed to the User

If you are seeking the content of a Facebook user's electronic communications, such as messages, timeline posts, comments, photos, or videos, you must direct your request to the Facebook user or other non-provider entities. Active Facebook users can log into their accounts at any time to preserve, collect, produce, and authenticate their account contents. In addition, one or more of Facebook's various tools such as "Download Your Information" or "Activity Log" may be available to help users access their information. Descriptions of these tools and the types of information available can be found at <http://www.facebook.com/help/405183566203254>.

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2. Requests for Account Details and Non-Content Information

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Additional Considerations and Objections

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Sincerely,

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Facebook Security
cc: Facebook Legal

cc: R. J. Getner & Associates
ron.rjgassoc@verizon.net



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Re: Your subpoena to Facebook, Inc. our ref. **RT#690492**

Counsel,

Facebook received a subpoena from you issued on behalf of a private, non-governmental party on January 5, 2016 (Case# 2:14-cr-98-GD) seeking information associated with a purported Facebook account. Facebook objects to your subpoena for the reasons below. Please review the information, as well as information available in Facebook's Help Center, located at <http://www.facebook.com/help>. Facebook reserves all objections and rights.

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Sincerely,

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cc: Facebook Legal

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